

**REMARKS**

Claims 1-53 were pending. Applicant thanks the Examiner for rejoining claims groups I-III for prosecution. Claims 42-53 have been canceled herewith, without prejudice, as non-elected claims. Accordingly, claims 1-41 are pending without amendment.

Applicant also has amended the specification to insert sequence identifiers, to provide a revised Abstract, and to correct minor typographical errors.

No new matter has been added.

**Applicant hereby requests a one month extension of time**, to and including October 4, 2004, for responding to the Office Action of June 3, 2004.

**Objection to the Specification**

Applicant has introduced sequence identifiers (SEQ ID NOs) to identify all sequences listed in the specification as required by the Examiner.

The Abstract has been corrected to remove legal phraseology as required by the Examiner.

**Objection to the Drawings**

The "Office Action Summary" page of the Office Action indicates that the drawings filed on January 25, 2002 are objected to by the Examiner. No further explanation is provided in the Office Action.

For the purposes of responding to this Office Action, Applicant assumes that the objection is not based on non-compliance with drawing rules (as no Draftsperson's Patent Drawing Review was included with the Office Action), but rather is based on the non-identification of the sequences in the drawings in the Brief Description of the Drawings. This has been corrected by the amendment of the descriptions of Figs. 1 and 2 herewith.

If, however, there are deficiencies in the drawings, Applicant respectfully requests that the Examiner point such deficiencies out with particularity, and to reset the period for response, so that appropriate correction may be made.

**Declaration**

The Examiner objected to the Declaration as defective. Applicant files herewith an Application Data Sheet that corrects the spelling of the family name of inventor Thierry Bogaert, and will file a substitute declaration shortly.

**Information Disclosure Statement**

The Examiner indicated that no references were filed with the Information Disclosure Statement (IDS), and that because the references were lacking, the information cited in the IDS was not considered.

Applicant respectfully notes that the IDS as filed included an asterisk (\*) next to each cited reference, with the notation that "a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/347,311, filed July 2, 1999, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications)." Therefore, as these references were provided in an earlier application relied upon for an earlier filing date, Applicant respectfully requests that the Examiner consider the references cited in the IDS filed January 25, 2002.

Applicant files herewith a further IDS, which also cites a reference previously cited in the parent application. Consideration of this reference also is respectfully requested. As with the other references, the presently cited reference is not provided, as the cited reference was provided in an earlier application relied upon for an earlier filing date.

**Rejections Under 35 U.S.C. § 102(a)**

The Examiner rejected claims 1-41 under 35 U.S.C. § 102(a) as being anticipated by Timmons et al. (Nature 395:854, October 1998). Applicant respectfully traverses the rejection.


The cited reference was published in October 1998. Applicant's earliest priority application disclosing the claimed invention, GB 9814536.0, was filed on July 3, 1998. Accordingly, the Timmons et al. reference is not prior art to the pending claims and Applicant respectfully requests that the Examiner reconsider and withdraw the rejection made under 35 U.S.C. § 102(a).

**CONCLUSION**

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
*Plaetinck, et al, Applicant*

By:   
John R. Van Amsterdam, Reg No. 40,212  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
Telephone (617) 646-8000

Docket No. D0590.70011US00  
Dated: October 4, 2004  
**X10/03/04**